

## NITED STATE DEPARTMENT OF COMMERCE

## **United States Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 09/420,092 10/18/99 LUO Υ A-68287/DJB/ **EXAMINER** HM12/0810 FLEHR HOHBACH TEST FLOOD, M ALBRITTON & HERBERT LLP ART UNIT PAPER NUMBER FOUR EMBARCADERO CENTER SUITE 3400 SAN FRANCISCO CA 94111-4187 1651 DATE MAILED: 08/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 



UNITED TES DEPARTMENT OF COMMERCE Patent and Trademark Office COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/420,092		Luo et al.	

EXAMINER				
Michele C. Flood				
ART UNIT	PAPER NUMBER			
1651				
DATE MAILED:				

Please find below a communication from the EXAMINER in charge of this application

L

Commissioner of Patents

The amendment of Paper No. 13, filed June 5, 2001, is non-responsive. See Attached (applicant is given ONE MONTH or THIRTY DAYS, which ever is longer, to respond.

The amendment filed on June 5, 2001 canceling Claim 1 drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The newly submitted claims are not readable on the elected invention because the claims are directed to five different methods none of which necessarily require the same ingredients or same process steps of the originally elected invention of Claim 1.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

CHRISTOPHER R. TATE PRIMARY EXAMINER